

CITY COUNCIL OF ALEXANDRIA, VIRGINIA

Regular Meeting

Tuesday, September 10, 2002 - - 7:30 p.m.

Present: Mayor Kerry J. Donley, Vice Mayor William C. Cleveland, Members of Council Claire M. Eberwein, William D. Euille, Redella S. Pepper, David G. Speck, and Joyce Woodson.

Absent: None.

Also Present: Mr. Sunderland, City Manager; Mr. Pessoa, City Attorney; Ms. Evans, Assistant City Manager; Mr. Jinks, Assistant City Manager; Public Information Officer Gordon; Mr. Baier, Director of Transportation and Environmental Services; Ms. Ross, Deputy Director of Planning and Zoning; Ms. O'Regan, Director of Human Services; Ms. Davis, Director of Housing; Ms. Boyd, Director of Citizen Assistance; Legislative Director Caton; Mr. Mandley, Director of General Services; Ms. Moore, Acting Deputy Director of Management and Budget; Police Chief Samarra; and Police Lieutenant Uzzell.

Recorded by: Beverly I. Jett, City Clerk and Clerk of Council.

The Mayor and Members of Council attended a 9/11 Commemoration Event on Market Square from 6 to 7 p.m.

OPENING

The Meeting was called to Order by Mayor Donley, and the City Clerk called the Roll; all Members of City Council were present.

City Council observed a moment of silence and then recited the Pledge of Allegiance.

Mayor Donley thanked the Members of Council, the City Manager and the staff, other elected officials and the citizens of Alexandria for coming out tonight for a moving vigil regarding the events of September 11. We came together as a community tonight on the eve of a special day in this Nation's history and coming together as one makes us a stronger community. Mayor Donley thanked the City Manager and staff for putting together a very, very nice ceremony. The ceremony was taped and will be rebroadcast on Comcast.

3. **WHEREUPON**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried unanimously, City Council approved the Minutes for (a) the Public Hearing Meeting of June 15, 2002; (b) the Special Public Hearing Meeting of June 24, 2002; and (c) the Regular Meeting of June 25, 2002, as submitted. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Cleveland | "aye" | Eberwein | "aye" |
| Pepper | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

4. **WHEREUPON**, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried unanimously, City Council received the Report of the City Clerk dated September 3, 2002, which is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 4; 9/10/02, and is incorporated herewith as part of this record by reference. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Cleveland | "aye" | Eberwein | "aye" |
| Pepper | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

RECOGNITION OF YOUTH BY MEMBERS OF CITY COUNCIL

None

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER

CONSENT CALENDAR (5-13) (18)

5. Receipt of the Following Resignations From Members of Boards, Commissions and Committees:

- (a) Ad Hoc City of Alexandria Woodrow Wilson Bridge Neighborhood Task Force
Herve H. Aitken
- (b) Alexandria Budget and Fiscal Affairs Advisory Committee
Eileen M. Taylor
- (c) Alexandria Commission for the Arts
Susan Buchan
- (d) Alexandria Commission for Women
Sarah Posner
Darnella G. Shelby
- (e) Alexandria Commission on HIV/AIDS
Elizabeth Johnson
- (f) Alexandria Commission on Persons With Disabilities
M. Craig Smith

- (g) Alexandria Park and Recreation Commission
Kimberly Dawkins
Todd Cameron Knisley
Paige B. McThenia
- (h) Alexandria Youth Policy Commission
Lori Cooper
Elizabeth Johnson
Kelsey Ray

(A copy of each of the above resignations is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 5(a-h); 9/10/02, and is incorporated herewith as part of this record by reference.)

6. Uncontested Appointments to Boards, Commissions and Committees:

- (a) Alexandria Affordable Housing Advisory Committee
1 Representative of the Faith Community
- (b) Alexandria-Gyumri Sister City Committee
2 Citizen Members
- (c) Alexandria Board of Architectural Review - Parker-Gray District
1 Citizen Member
- (d) Alexandria Commission on Employment
1 Business Representative From Among Recognized Area Businesses,
Including Minority-Owned and Small Businesses
- (e) Alexandria Commission on HIV/AIDS
1 Citizen-at-Large
- (f) Alexandria Commission on Information Technology
1 Member Representing the Alexandria City School Board
- (g) Alexandria Community Services Board
1 Citizen Member
- (h) Alexandria Emergency Medical Services Council
1 Representative of the Alexandria Red Cross
- (i) Alexandria Historical Restoration and Preservation Commission
1 Citizen Member
- (j) Alexandria Public Health Advisory Commission
1 Representative of the Alexandria Community Services Board
- (k) Alexandria Urban Design Advisory Committee
1 Landscape Architect
- (l) Alexandria Waterfront Committee
1 Representative of the Alexandria Environmental Policy Commission

(Material pertaining to the above appointments is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item Nos. 6(a-l); 9/10/02, and is incorporated herewith as part of this record by reference.)

7. Receipt of the Annual Report on Committee Attendance for Fiscal Year 2002.

(A copy of the City Manager's revised report dated September 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 7; 9/10/02, and is incorporated herewith as part of this record by reference.)

A copy of the City Manager's memorandum dated August 26, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 7; 9/10/02, and is incorporated herewith as part of this record by reference.)

8. Receipt of the Youth Fund FY 2002 Grant Awards.

(A copy of the City Manager's memorandum dated August 29, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 8; 9/10/02, and is incorporated herewith as part of this record by reference.)

9. Receipt of Renewal of Law Enforcement Block Grant Program for FY 2003 and Setting the Grant Application for Public Hearing on Saturday, September 14.

(A copy of the City Manager's memorandum dated September 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 9; 9/10/02, and is incorporated herewith as part of this record by reference.)

10. Consideration of Submission of a Grant Application to the Virginia Department of Criminal Justice Services for the Hispanic Outreach Services Project.

(A copy of the City Manager's memorandum dated September 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 10; 9/10/02, and is incorporated herewith as part of this record by reference.)

11. Consideration of the Alexandria Community Services Boards: (1) Amended FY 2003 Plan of Services, which includes the FY 2003 Performance Contract with the State; (2) FY 2003 Performance Improvement Plan; and (3) Status of the FY 1999-2003 Housing Plan.

(A copy of the City Manager's memorandum dated September 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 11; 9/10/02, and is incorporated herewith as part of this record by reference.)

12. Receipt of Report on the Community Partnership Fund for Human Services Recommended Priorities for the FY 2004 Competitive Grant Cycle.

(A copy of the City Manager's memorandum dated September 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 12; 9/10/02, and is incorporated herewith as part of this record by reference.)

13. Consideration of Submission of Grant Application to the Virginia Department of Criminal Justice Services for the City's Domestic Violence Intervention Project.

(A copy of the City Manager's memorandum dated September 4, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 13; 9/10/02, and is incorporated herewith as part of this record by reference.)

18. Introduction and First Reading. Consideration. Passage on First Reading of An Ordinance to amend and reordain subsection (h) (GEORGE WASHINGTON SCHOOL ELECTION DISTRICT) of Section 2-2-10 (ESTABLISHMENT OF ELECTION DISTRICTS AND VOTING PLACES), and to amend and reordain "The Official Map of the City of Alexandria, Virginia, Designating Election Districts and Voting Places," adopted by Section 2-2-13 (MAP OF ELECTION DISTRICTS AND VOTING PLACES), all of Chapter 2 (ELECTIONS), Title 2 (GENERAL GOVERNMENT) of The Code of the City of Alexandria, Virginia, 1981, as amended.

(A copy of the joint City Attorneys' memorandum dated September 6, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 18; 9/10/02, and is incorporated herewith as part of this record by reference.

A copy of an Informal Memorandum explaining ordinance is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 2 of Item No. 18; 9/10/02, and is incorporated herewith as part of this record by reference.

A copy of the ordinance referred to in the above item, of which each Member of Council received a copy not less than 24 hours before said introduction, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 3 of Item No. 18; 9/10/02, and is incorporated herewith as part of this record by reference.)

END OF CONSENT CALENDAR

WHEREUPON, upon motion by Councilwoman Pepper, seconded by Vice Mayor Cleveland and carried unanimously, City Council approved the Consent Calendar as presented. The City Manager's recommendations are as follows:

5. City Council received the following resignations with regret: (a) Herve H. Aitken from the Ad Hoc City of Alexandria Woodrow Wilson Bridge Neighborhood Task Force; (b) Eileen M. Taylor from the Alexandria Budget and Fiscal Affairs Advisory Committee; (c) Susan Buchan from the Alexandria Commission for the Arts; (d) Sarah Posner and Darnella G. Shelby from the Alexandria Commission for Women; (e) Elizabeth Johnson from the Alexandria Commission on HIV/AIDS; (f) M. Craig Smith from the Alexandria Commission on Persons With Disabilities; (g) Kimberly Dawkins, Todd Cameron Knisley and Paige B. McThenia from the Alexandria Park and Recreation Commission; and (h) Lori Cooper, Elizabeth Johnson, and Kelsey Ray from the Alexandria Youth Policy Commission.

6. City Council (a) appointed Andrea McNicholas as a Representative of the Faith Community to the Alexandria Affordable Housing Advisory Committee; (b) waived the residency requirements and reappointed Martha Bitar and appointed Dean Shahinian as Citizen Members to the Alexandria-Gyumri Sister City Committee; (c) reappointed Donald Kraft as a Citizen Member to the Alexandria Board of Architectural Review - Parker-Gray District; (d) appointed Regina Wine as a Business Representative From Among Recognized Area Businesses, Including Minority-Owned and Small Businesses to the Alexandria Commission on Employment; (e) appointed

Susan Petersen as a Citizen-at-Large to the Alexandria Commission on HIV/AIDS; (f) appointed George Hagen as a Member Representing the Alexandria City School Board to the Alexandria Commission on Information Technology; (g) appointed Victoria Almquist as a Citizen Member to the Alexandria Community Services Board; (h) reappointed Nicholas Peake as a Representative of the Alexandria Red Cross to the Alexandria Emergency Medical Services Council; (i) appointed Laura Byrd as a Citizen Member to the Alexandria Historical Restoration and Preservation Commission; (j) appointed Mary Riley as a Representative of the Alexandria Community Services Board to the Alexandria Public Health Advisory Commission; (k) reappointed Alan Voorhees as a Landscape Architect to the Alexandria Urban Design Advisory Committee; and (l) appointed Adam Wilson as a Representative of the Alexandria Environmental Policy Commission to the Alexandria Waterfront Committee.

7. City Council: (1) received the report; (2) vacated the ten positions listed on pages one and two of the report; and (3) authorized the Executive Secretary for Boards and Commissions to advertise the vacancies.

8. City Council received the report and thanked the members of the Youth Policy Commission for their leadership in the FY 2002 grant award process.

9. City Council set this item for public hearing on Saturday, September 14, 2002, to receive comments on the grant, as required by the U.S. Department of Justice.

10. City Council: (1) approved the submission of the grant application to the Virginia Department of Criminal Justice Services (DCJS) for funding in the amount of \$46,512 for continued funding of the Office on Women's Hispanic Outreach Services Project; (2) approved the continuation of one full-time Hispanic Outreach Specialist position. This grant-funded position would terminate upon the expiration of the grant and the individual who fills this position would be notified of this condition of employment at the time that he or she is hired, and would sign an agreement of understanding with regard to this condition. It should be noted that there are no funds available in the City budget to continue these activities once the grant funds are expired; and (3) authorized the City Manager to execute all documents that may be required.

It was noted that the grant application is due on September 13, 2002. Due to the constrained time line for the grant submission, staff submitted the grant application contingent upon City Council approval at its September 10, 2002 meeting.

11. City Council: (1) approved the Board's amended FY 2003 Plan of Services, which includes approval of the Performance Contract with the State, and a net decrease of \$286,561 in the Department's budget; and (2) approved the Board's FY 2003 Quality and Performance Improvement Plan.

12. City Council docketed for public hearing on Saturday, September 14, the FY 2004 priorities for the Community Partnership Fund, including the community input on priorities received this summer and the proposed improvements to the Fund.

13. City Council: (1) approved the submission of the grant application to the Virginia Department of Criminal Justice Services for funding in the amount of \$76,404 for continued funding of the City's Domestic Violence Intervention Project; (2) approved the continuation of one full-time grant-funded Victim-Witness Specialist II position, and one part-time grant-funded Law Clerk position. The Office on Women and the Commonwealth's Attorney's Office will directly supervise these positions. These grant-funded positions would terminate upon the expiration of the grant. The individuals who are in these positions have been notified of this condition of employment and have signed an agreement of understanding with regard to this condition. It should be noted that there are no funds available in the City budget to continue these activities once the grant funds are expired; and (3) authorized the City Manager to execute all documents that may be required.

It was noted that the grant application is due on September 13, 2002. Due to the constrained time line for grant submission, staff submitted the grant application contingent upon City Council approval at its September 10, 2002 meeting.

18. City Council introduced and passed the Ordinance on its First Reading; set it for Public Hearing, Second Reading and Final Passage on Saturday, September 14, 2002.

END OF CONSENT CALENDAR

The voting was as follows:

| | | | |
|-----------|---------|----------|-------|
| Pepper | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

REPORTS AND RECOMMENDATIONS OF THE CITY MANAGER (continued)

14. Verbal Briefing on the Greater Washington Tourism Alliance from JoAnne Mitchell.

Councilman Speck indicated that Ms. Mitchell will brief Council on some of the developments associated with this new Alliance. The Alliance is in the process of meeting with Congressional delegations in Northern Virginia, D.C., and suburban Maryland to involve them further and also to develop some possible federal funding.

JoAnne Mitchell, Executive Director and Chief Operating Office of the Alexandria Convention and Visitors Association, provided City Council with an overview on the Greater Washington Tourism Alliance. In speaking to the Congressional delegations mentioned by Councilman Speck, she indicated that the Alliance will talk to them about what it is doing as a region in order to promote and increase tourism to the Greater Washington area, and to ask them for their support for possible federal funding.

15. Verbal Report on the Status of Proposed Improvements to the CSX Overpass at the King Street Metro Station.

(Photographs pertaining to this item are on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 15; 9/10/02, and is incorporated herewith as part of this record by reference.)

Transportation and Environmental Services Director Baier spoke to the issue and to the improvements by CSX to date. He indicated that the City is waiting for an adjustment to some light covers. Mr. Baier stated that there are two things in the original package that have not been done, i.e., the under drain system on the abutment and an engineered concept drawing for a canopy for the pedestrian walkway, over the pedestrian walkway on the north side of the overpass. He provided pictures to Council on what has been done.

Councilman Speck requested the schedule for the work to be done with respect to the water seepage into the abutments so that it does not continue to seep, and requested staff to continue to bird dog CSX on this to get it fixed. He noted that the reason he is focusing on this is that now that the work has been done, it's a wonderful opportunity to look at the possibility of some public art on the abutment walls on both sides. He suggested the possibility of getting some of the art classes at T.C. Williams to look at doing some really interesting murals.

Mr. Baier indicated that he is writing a letter to Mr. Shinn and will include a note that the City will be pursuing painting murals either on the abutment walls or on material affixed to the walls through the appropriate art channels with CSX or through the City to CSX.

16. Verbal Report on the Status of the Datatel Building on Mount Vernon Avenue.

(A photograph of this site is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 16; 9/10/02, and is incorporated herewith as part of this record by reference.)

General Services Director Mandley addressed the status of the demolition of the building which is taking place and should be completed by Friday. He indicated that site restoration should be completed by September 27.

Planning and Zoning Deputy Director Ross noted, once the building is down, the next step is the designing and the creation of a surface parking lot on the site as an interim use for the next couple of years. Staff has achieved the cooperation and the interest of joining the City in this project of both adjoining landowners. On the one side to the north is the lot owned by St. Rita's. On the south, is a vacant lot owned by Weisberg Corporation. Both of those property owners are going to lease their property to the City. It will be a three-parcel parking lot, and it will enable the City to achieve approximately 75 spaces. She spoke to the zoning process which will occur.

Ms. Ross responded to queries posed to her by the Members of City Council.

Mayor Donley asked if staff has had discussions with some of the affected civic associations regarding the interim use? Ms. Ross responded in the affirmative and indicated that they are very pleased with it.

Ms. Ross indicated that staff has a meeting with John Liss on Tuesday to go over the recent concerns expressed, but the Tenant and Workers' Support Group has been part of both the original Upper Potomac Work Group task force, and the current work group. Members of that organization have attended meetings throughout.

Councilman Euille asked if the interim use can also be used for something in addition to parking if there is a need to do so? For instance, a farmers' market or some type of special event.

Ms. Ross stated that she thinks it is a great site for special events, especially like a farmers' market or an annual event or something to celebrate the neighborhood.

Councilwoman Woodson asked is there still a potential for some other type of use on that site other than parking? She stated another type of use that we haven't thought of yet.

Ms. Ross stated that the market will be such that the private property owners in the area, together with the City, will get together on some development scheme. As you recall in the Safeway special use permit approval case, we now have a direct way of doing that at least as to that site, by working with the owner on an economic study and forcing them to cut short a lease, but beyond that if property owners don't want to go ahead and the City does, we now have a parcel of property that we can pursue other use on in the future.

Councilwoman Woodson indicated that there is some interest in leasing this land from the City for some period of time for another use that is not parking. Is that something that Planning would be interested in pursuing?

Planning and Zoning Director Ross stated that they would be willing to look at it. The thought of both Planning and Zoning and the work group was that there is a need for parking in the area to support existing businesses and events, and that is a good use in and of itself, but she is sure that isn't the only use that is possible. We are willing to look at others.

City Manager Sunderland stated that if the other use would mean constructing a building it becomes nonviable because that is going to take a long, long time.

17. Verbal Report on the Status of the Commercial Properties at the Corner of Union and King Streets.

Planning and Zoning Deputy Director Ross provided Council with a status report of the commercial properties at the corner of Union and King Streets.

Mayor Donley noted that some of the merchants were still having some concerns about the lack of economic activity. He indicated that Executive Director of the Economic Development Partnership Riley was asked to convene a focus group of merchants from lower King Street. His understanding is that a meeting will be convened this Friday to get at what the issues are and then potentially look at some solutions.

Councilman Euille stated that he would hope that this focus group will think out of the box in terms of some economic marketing solutions. He spoke to the former Alexandria Days that were held in earlier years. Mr. Euille indicated that maybe that is something we could think about revisiting, a concept like that, a festive type of activity. He suggested that maybe from time to time we could take a look at closing the lower King Street block(s) to see what benefits could be gained. Mayor Donley stated that he personally likes the idea which is an interesting concept, but he indicated that the merchants expressed concern because of the loss of parking and loss of access. Mayor Donley indicated that he thinks it is something that we ought to explore.

REPORTS OF BOARDS, COMMISSIONS AND COMMITTEES

None

ORAL PRESENTATIONS BY MEMBERS OF CITY COUNCIL

(a) Councilman Euille spoke to a memorandum he received from Registrar of Voters Parkins regarding translating ballots into Spanish which came about as a result of a recent newspaper article. Mr. Euille thanked Mr. Parkins for his detailed explanation.

(b) Councilman Euille requested staff to update Council relative to the ongoing state budget deficits and what impacts that it is having or will have on our local budget.

City Manager Sunderland asked Legislative Director Caton to provide Council with an update on the state front, the legislative front, and the appropriation front, and Assistant City Manager Jinks to give an update on where we see the local revenue going.

Members of City Council and City Manager Sunderland participated in the discussion.

(c) Councilwoman Pepper spoke to the problems with the regional, not the local United Way, the United Way of National Capital Area. The City's non-profits have a great deal at stake here. She urged the City to join in the United Way Campaign this year. Councilwoman Pepper praised Board Members Kloch and Euille for their efforts in focusing on the problems of United Way which are going to be addressed.

(d) Councilwoman Pepper spoke to the new citizen volunteer corps program which was addressed by Captain Al Tierney at a recent Del Ray Citizens Association meeting. She asked that the City look into this program.

City Manager Sunderland explained that the City has been asked, as all localities have, to set up and designate people on a group like that. We are looking to do it through an existing group as we have four or five of them right now. We will follow up on that, but to create another apparatus, he is not inclined to do that. The idea of having a class or something, we now have a fire academy where people learn fire suppression and EMS techniques, it may be that we could add to that an element on emergency preparedness and so forth.

(e) Councilwoman Pepper spoke to the recent request by the Virginia-American Water Company for a rate increase. Staff responded to her concerns that the rate increase is justified and that the rates in Alexandria will all go to Alexandria.

(f) Councilwoman Woodson announced that her new intern for this quarter is Juan Cardinas.

(g) Councilwoman Woodson provided Council with an update on the results of the teen survey and the teen center. She indicated that they are now looking for a volunteer to take it on, to embrace it, and to help drive it.

(h) Councilwoman Woodson spoke to recent telemarketing efforts by Washington Gas Company. She encouraged consumers to ask questions and not settle for quick answers.

Mayor Donley suggested Ms. Woodson might want to contact a member of the Consumer Affairs Advisory Commission to have them look at it not only in terms of practices, but also in terms of potential consumer education that might benefit our citizens.

(i) Councilwoman Eberwein welcomed back parents, students, teachers to all of our schools in the City, both public and private, and a special welcome to Mayor Donley's daughter who is a teacher in our public schools. Ms. Eberwein reported that the schools opened very well. We're off to a good start and no major snafus with regard to the public system. She reported that the construction of the middle schools is moving forward and things are looking very good. She announced that Council received invitations to the convocation late and all were not able to attend. The Council is very much in support of our public schools, the parents and students that are in them this year and will be for the foreseeable future.

Mayor Donley spoke to the new teacher welcome. He noted that one of the new teachers in Alexandria is former Deputy Chief of Police Lenny George. He is teaching criminal justice at T.C. Williams High School.

ORDINANCES AND RESOLUTIONS (continued)

19. Introduction and First Reading. Consideration. Passage on First and Second Reading of AN ORDINANCE adopting the Sixty-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes. **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council introduced and passed the Ordinance on its First and Second Readings. The voting was as follows:

| | | | |
|--------|---------|-----------|-------|
| Euille | "aye" | Cleveland | "aye" |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

The ordinance finally passed reads as follows:

ORDINANCE NO. 4264

AN ORDINANCE adopting supplemental pages for The Code of the City of Alexandria, Virginia, 1981, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections and portions thereof set forth in the supplemental and replacement pages for The Code of the City of Alexandria, Virginia, 1981, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 66," are hereby adopted as and shall constitute "The Sixty-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981."

Section 2. That the sections and portions thereof set forth in "The Sixty-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981" shall be in force and effect on and after the effective date of this ordinance, and all ordinances of a general and permanent nature which were adopted between March 17, 2002 through May 28, 2002, inclusive, and which are not included in such supplement or in The Code of the City of Alexandria, Virginia, 1981, as amended, are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any ordinance adopted after March 17, 2002, which amends the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended; nor shall it affect any ordinance saved from repeal by Ordinance No. 1250; nor shall it affect any ordinance listed in appendices A through J, both inclusive, of The Code of the City of Alexandria, Virginia, 1981, or any pages supplemental to such appendices; nor shall it affect any provision of any ordinance adopted between March 17, 2002 through May 28, 2002, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Sixty-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," or any other supplement to the code; nor shall it affect any ordinance adopted after the effective date of this ordinance.

Section 4. That one complete set of pages comprising "The Sixty-Sixth Supplement to The Code of the City of Alexandria, Virginia, 1981," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the supplemental and replacement pages of such supplement shall be properly inserted into the copy of The Code of the City of Alexandria, Virginia, 1981, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. This ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

Introduction: 09/10/02
First Reading: 09/10/02
Second Reading: 09/10/02
Final Passage: 09/10/02

* * * * *

20. Introduction and First Reading. Consideration. Passage on First and Second Reading of an Ordinance to adopt Supplement No. 29 to the City of Alexandria Zoning Ordinance. **[ROLL-CALL VOTE]**

The City Clerk read the docket item.

WHEREUPON, upon motion by Councilwoman Eberwein, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council introduced and passed the Ordinance on its First and Second Readings. The voting was as follows:

| | | | |
|----------|-------|-----------|-------|
| Eberwein | "aye" | Cleveland | "aye" |
| Pepper | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

The ordinance finally passed reads as follows:

ORDINANCE NO. 4265

AN ORDINANCE adopting supplemental pages for the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended, and providing for the repeal of ordinances not included therein, except those saved from repeal by this ordinance, and for other purposes.

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That the sections of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, as amended ("Zoning Ordinance"), and the portions thereof, set forth in the supplemental and replacement pages for the Zoning Ordinance, each of which pages is identified in the lower left-hand corner by the notation "Supp. No. 29," are hereby adopted as and shall constitute "The Twenty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992."

Section 2. That the sections of the Zoning Ordinance, and the portions thereof, set forth in "The Twenty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be in force and effect on and after the effective date of this ordinance, and all ordinances amending the text of the Zoning Ordinance which were adopted between March 17, 2002, and May 18, 2002, inclusive, and which are not included in such supplement or in the Zoning Ordinance are hereby repealed, except as otherwise provided in section 3 of this ordinance.

Section 3. That the repeal provided for in section 2 of this ordinance shall not affect any offense or act committed or done, or any penalty or forfeiture incurred, or any contract established or accruing prior to the effective date of this ordinance; nor shall it affect any prosecution, suit or proceeding pending or any judgment rendered prior to said date; nor shall it affect any provision of any ordinance amending the Zoning Ordinance which was adopted between March 17, 2002, and May 18, 2002, inclusive, and which is inadvertently omitted from or erroneously incorporated into "The Twenty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992"; nor shall it affect any ordinance adopted after May 18, 2002.

Section 4. That one complete set of pages comprising "The Twenty-Ninth Supplement to the Zoning Ordinance of the City of Alexandria, Virginia, 1992," shall be stapled or otherwise permanently fastened together, shall be manually signed on the front sheet by the mayor and the city clerk, and shall be filed in the office of the city clerk and made available to any person desiring to inspect the same. In addition, one complete set of the pages comprising such supplement shall be properly inserted into the copy of the Zoning Ordinance of the City of Alexandria, Virginia, 1992, which bears the manual signatures of the mayor and the city clerk, and such code, as amended and supplemented, shall be kept on file in the office of the city clerk and be made available to any person desiring to inspect the same.

Section 5. That this ordinance shall become effective upon the date and at the time of its final passage.

KERRY J. DONLEY
Mayor

| | |
|-----------------|----------|
| Introduction: | 09/10/02 |
| First Reading: | 09/10/02 |
| Second Reading: | 09/10/02 |
| Final Passage: | 09/10/02 |

* * * * *

21. Consideration of Resolution Endorsing the Education Bond Referendum.
[ROLL-CALL VOTE]

(A copy of the City Manager's memorandum dated September 3, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 21; 9/10/02, and is incorporated herewith as part of this record by reference.)

Councilwoman Woodson stated that we need to look at the whole referendum for higher education, museums, and parks.

Mayor Donley requested that another resolution be docketed for parks and open space. City Council ought to endorse that as well.

Councilwoman Pepper requested staff to look at what are the City's rankings of expenditures in different areas.

WHEREUPON, upon motion by Vice Mayor Cleveland, seconded by Councilwoman Pepper and carried on a unanimous ROLL-CALL vote, City Council adopted the proposed general obligation higher education bond resolution. The voting was as follows:

| | | | |
|-----------|---------|----------|-------|
| Cleveland | "aye" | Eberwein | "aye" |
| Pepper | "aye" | Euille | "aye" |
| Donley | "aye" | Speck | "aye" |
| | Woodson | "aye" | |

The resolution reads as follows:

RESOLUTION NO. 2040

GENERAL OBLIGATION HIGHER EDUCATION BOND ENDORSEMENT

WHEREAS, the opportunity for Virginia citizens to have continued access to Virginia's institutions of higher education is dependent upon the Commonwealth's ability to provide appropriate facilities in which to offer quality education and training programs; and

WHEREAS, Virginia voters will have the opportunity to approve a bond referendum on November 5 that will provide \$845.9 million to construct and renovate higher education facilities at colleges, universities and community colleges throughout Virginia, and \$54.6 million to construct and renovate museum facilities throughout the Commonwealth, totaling \$900.5 million; and

WHEREAS, Virginia is anticipating an increase of 32,000 qualified high school graduates over the next 8 years; and

WHEREAS, space does not currently exist on Virginia's college campuses to accommodate these students, and without the passage of the bond, many qualified Virginia students may have to go out of state to school, or may not be able to attend at all; and

WHEREAS, many buildings on Virginia's campuses are in urgent need of renovation to provide the quality academic environment needed by students to study effectively; and

WHEREAS, Virginia colleges and universities are a critical source of research in the areas of medical science, engineering, biotechnology and other types of inquiry, and must have the state-of-the-art facilities required to support such research; and

WHEREAS, tourism is Virginia's second largest industry, and its museums provide a vital component of that industry; and

WHEREAS, the issuance of these bonds will not jeopardize Virginia's AAA bond ratings;

NOW, THEREFORE, BE IT RESOLVED that the Alexandria City Council endorses the passage of the referendum on the November 5, 2002, ballot authorizing the issuance of a general obligation bond of the Commonwealth of Virginia for \$900.5 million; and

BE IT FURTHER RESOLVED that the Alexandria City Council encourages the voters of Virginia to vote "YES" on the question of whether the referendum should be approved.

* * * * *

22. Consideration of a Resolution Endorsing the Issuance of Northern Virginia Transportation Bonds. **[ROLL-CALL VOTE]**

(A copy of the City Manager's memorandum dated September 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 22; 9/10/02, and is incorporated herewith as part of this record by reference.)

WHEREUPON, upon motion by Councilman Euille, seconded by Councilwoman Pepper and carried on a ROLL-CALL vote of 6-to-1, City Council: (1) adopted the resolution endorsing the issuance of transportation bonds to fund projects authorized by the 2002 General Assembly; and (2) requested staff to forward the resolution to the Virginia Department of Transportation. The voting was as follows:

| | | | |
|--------|-------|-----------|-------|
| Euille | "aye" | Cleveland | "no" |
| Pepper | "aye" | Eberwein | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

The resolution reads as follows:

RESOLUTION NO. 2041

RESOLUTION ENDORSING THE ISSUANCE OF ADDITIONAL BONDS FOR CATEGORY 3 PROJECTS OF THE NORTHERN VIRGINIA TRANSPORTATION DISTRICT PROGRAM

WHEREAS, the Alexandria City Council endorsed the issuance of bonds by the Commonwealth Transportation Board (the "CTB") to finance the cost of Category 3 Projects in the Northern Virginia Transportation District ("NVTB") Program by Resolution No. 1927 (the "1999 Resolution"), in accordance with Chapters 740 and 761 of the 1998 Acts of Assembly and chapter 538 of the 1999 Acts of Assembly (the "NVTB Legislation") which collectively authorized \$205.2 million of bonds to be issued by the CTB for designated Category 3 Projects in the NVTB Program, provided that (i) the governing bodies of at least five jurisdictions in the NVTB (comprising a majority of the population of the participating jurisdictions) adopt resolutions endorsing the sale of such bonds, and (ii) at least two of the participating jurisdictions enter into a contract dedicating state or local revenues, which may include secondary allocations and public right-of-way use fees, to pay debt service on such bonds; and

WHEREAS, the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Falls Church and Fairfax adopted such endorsing resolutions in 1999; and the County of Arlington and the Cities of Alexandria, Fairfax and Falls Church executed such contracts in 1999 to pay approximately 50% of debt service on such Category 3 bonds attributable to such jurisdictions, which resolutions and contracts shall remain in effect so long as any debts or obligations for Category 3 Projects remain outstanding; and

WHEREAS, Chapter 799 of the 2002 Acts of Assembly (the "2002 NVTD Legislation") amended the NVTD Legislation to authorize an additional \$29 million of bonds for Category 3 Projects to be issued by the CTB and designated the following additional Category 3 Projects in the NVTD Program: (i) Fairfax County Parkway between Routes 1 and 7, (ii) Route 28 Parallel Roads in Loudoun County, (iii) Route 123 Occoquan River Bridge, and (iv) Metrorail Capital Improvements attributable to Fairfax County, including Metro Parking Expansion;

NOW, THEREFORE, BE IT RESOLVED, that the Alexandria City Council does hereby (i) endorse the issuance by the CTB of the additional Category 3 Project bonds authorized by the 2002 NVTD Legislation, and (ii) reaffirm the 1999 Resolution.

* * * * *

OTHER

23. Consideration of City Council Schedule.

(A copy of the City Manager's memorandum dated September 5, 2002, is on file in the office of the City Clerk and Clerk of Council, marked Exhibit No. 1 of Item No. 23; 9/10/02, and is incorporated herewith as part of this record by reference.)

There was Council discussion on when to have the work session and public hearing on the Eisenhower-to-Duke connector.

WHEREUPON, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, City Council: (1) adopted the schedule of Council's regular City Council meetings for September 2002 through June 2003. As Council requested, the date of Council's second legislative session in October has been changed from Tuesday, October 22, to Wednesday, October 23, so that Council can attend the VML Annual Conference in its entirety; (2) scheduled a fall public hearing on the FY 2004 Budget during Council's Saturday, November 16 public hearing meeting. The purpose of the hearing is to obtain citizen input prior to preparation of next year's budget; (3) scheduled a work session with the City's General Assembly delegation to discuss the City's 2003 Virginia General Assembly package at 6:00 p.m. before Council's regular meeting on Tuesday, November 26; **added a work session on the Eisenhower-to-Duke Connector at 5:30 p.m., on October 23, 2002; and set the Eisenhower-to-Duke Connector item for public hearing at 7:00 p.m. on Tuesday, October 29, 2002;** (4) noted the following events that are included on the Council Calendar: (a) the City's September 11, 2001, Commemorative Event on Tuesday, September 10, at 6:00 p.m. at Market Square; (b) the ceremony to recognize the demolition of the Datatel building before Council's Saturday, September 14 public hearing meeting, at 8:30 a.m., at 3700 Mt. Vernon Avenue; (c) a joint work session with the Alexandria School Board to discuss the secondary schools project on Thursday, September 17, at 7:00 p.m. at the T.C. Williams High School cafeteria; (d) corrected the date for the Columbus Day holiday as Monday, October 14; (e) the Virginia Municipal League (VML) Annual Conference, Sunday, October 20 through Tuesday, October 22, at the Waterside Convention Center, Norfolk, Virginia; (f) Council's fall Retreat on Saturday, October 26, at 11:00 a.m. in the Catherine Lodge at the Winkler Botanical Preserve; (g) the Alexandria City Public Schools Family Involvement Rally on Saturday, November 9, from 8:30 a.m. to noon, at G.W. Middle School, 1005 Mount Vernon Avenue; (h) a Senior Services reception on Tuesday, November 12, in the Vola Lawson Lobby before Council's legislative meeting; (i) corrected dates for Passover as beginning Tuesday, April 15, at sunset through Wednesday, April 16, and Easter as Sunday, April 20; and (j) the Alexandria Commission on Persons with Disabilities

annual reception and awards ceremony, at 6:00 p.m. before the City Council meeting on Tuesday, June 24 (location TBD). The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Euille | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Pepper | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

CONTESTED APPOINTMENTS

24. Alexandria Board of Architectural Review - Parker-Gray District
1 Architect

(The following persons volunteered for appointment to the above Board:)

| NAME | ENDORSED BY: |
|------------------|--------------|
| Keith Leonard | |
| H. Richard Lloyd | |
| Daniel Porter | |
| Judith Rodden | |

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 24; 9/10/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: No one received a majority vote; therefore, there had to be a second balloting. The voting was as follows:

| | | |
|-----------|---|--------|
| Donley | - | Lloyd |
| Cleveland | - | Porter |
| Eberwein | - | Rodden |
| Euille | - | Porter |
| Pepper | - | Rodden |
| Speck | - | Lloyd |
| Woodson | - | Rodden |

Thereupon, ballots were again distributed, tellers were again appointed and the ballots again tallied with the following result: City Council appointed Judith Rodden as an Architect to the Alexandria Board of Architectural Review - Parker-Gray District. The voting was as follows:

| | | |
|-----------|---|--------|
| Donley | - | Rodden |
| Cleveland | - | Porter |
| Eberwein | - | Rodden |
| Euille | - | Rodden |
| Pepper | - | Rodden |
| Speck | - | Lloyd |
| Woodson | - | Rodden |

* * * * *

25. Alexandria Commission on Persons With Disabilities
1 Citizen Member

(The following persons volunteered for appointment to the above Commission:)

NAME

ENDORSED BY:

Joseph Delfico*

Ralph Pfister

*Incumbent

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 25; 9/10/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Joseph Delfico as a Citizen Member to the Alexandria Commission on Persons with Disabilities. The voting was as follows:

| | | |
|-----------|---|---------|
| Donley | - | Delfico |
| Cleveland | - | Delfico |
| Eberwein | - | Delfico |
| Euille | - | Delfico |
| Pepper | - | Delfico |
| Speck | - | Pfister |
| Woodson | - | Delfico |

* * * * *

26. Alexandria Law Library Board
1 Citizen Member

(The following persons volunteered for appointment to the above Board:)

NAME

ENDORSED BY:

Keith Larson*

Susan Quinn

*Incumbent

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 26; 9/10/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council reappointed Keith Larson as a Citizen Member to the Alexandria Law Library Board. The voting was as follows:

| | | |
|-----------|---|--------|
| Donley | - | Larson |
| Cleveland | - | Larson |
| Eberwein | - | Larson |
| Euille | - | Larson |
| Pepper | - | Larson |
| Speck | - | Larson |
| Woodson | - | Larson |

* * * * *

27. Alexandria Local Emergency Planning Committee
1 Representative of the Broadcast and Print Media

(The following persons volunteered or were recommended for appointment to the above Committee:)

NAME

ENDORSED BY:

Alan Haskel*
(Residency Waiver Required)

Scott Shelley
(Residency Waiver Required)

Marie Schuler, Director of Govt. &
Community Affairs Comcast

*Incumbent

* * * * *

(Material pertaining to the above appointment is on file in the office of the City Clerk and Clerk of Council, marked collectively as Exhibit No. 1 of Item No. 27; 9/10/02, and is incorporated herewith as part of this record by reference.)

Whereupon, ballots were distributed, tellers were appointed and the ballots tallied with the following result: City Council waived the residency requirement and reappointed Alan Haskel as a Representative of the Broadcast and Print Media to the Alexandria Local Emergency Planning Committee. The voting was as follows:

| | | |
|-----------|---|---------|
| Donley | - | Haskel |
| Cleveland | - | Haskel |
| Eberwein | - | Haskel |
| Euille | - | Haskel |
| Pepper | - | Haskel |
| Speck | - | Shelley |
| Woodson | - | Shelley |

* * * * *

THERE BEING NO FURTHER BUSINESS TO BE CONSIDERED, upon motion by Councilman Euille, seconded by Vice Mayor Cleveland and carried unanimously, at 9:15 p.m., the Regular Meeting of Tuesday, September 10, 2002, was adjourned. The voting was as follows:

| | | | |
|-----------|-------|----------|-------|
| Euille | "aye" | Eberwein | "aye" |
| Cleveland | "aye" | Pepper | "aye" |
| Donley | "aye" | Speck | "aye" |
| | | Woodson | "aye" |

* * * * *

APPROVED BY:

| | |
|------------------------|--------------|
| KERRY J. DONLEY | MAYOR |
|------------------------|--------------|

ATTEST:

| | |
|-----------------------------|-------------------|
| Beverly I. Jett, CMC | City Clerk |
|-----------------------------|-------------------|